

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

U.S.A. vs. British Tyrone Moss

Docket No. 7:05-CR-67-1FL

Petition for Action on Supervised Release

COMES NOW Pamela O. Thornton, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of British Tyrone Moss, who, upon an earlier plea of guilty to Felon in Possession of a Firearm, in violation of 18 U.S.C. §§ 922(g)(1) and 924, was sentenced by the Honorable Louise W. Flanagan, U.S. District Judge, on July 19, 2006, to the custody of the Bureau of Prisons for a term of 180 months. On November 15, 2012, pursuant to 28 U.S.C. § 2255, the defendant was remanded back to court and resented to "Time Served". He was further ordered by the court to be placed on supervised release for two (2) years under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.
3. The defendant shall not possess a firearm or destructive device.
4. The defendant shall cooperate in the collection of DNA as directed by the probation officer.

British Tyrone Moss was released from custody on November 16, 2012, at which time the term of supervised release commenced.

On February 7, 2013, at a hearing before the court regarding the releasee's illegal drug use, the court modified the releasee's conditions to include home detention with electronic monitoring and mental health treatment.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR
CAUSE AS FOLLOWS:**

The releasee was cited for Misdemeanor Larceny, Case # 2013CR700625, on January 19, 2013, by the Wilmington Police Department. The citation alleges the releasee attempted to steal one pair of earrings valued at \$80 from Belks Department Store. The releasee denies guilt in this matter. He gave a written statement to his probation officer that he found one earring on the floor in the store and picked it up and placed it in his pocket. He was later stopped by security and charged with Larceny.

This charge occurred prior to the releasee's last appearance before the court. The releasee is currently on home detention and is complying with his treatment plan. Based on the releasee's sobriety and compliance since his last court date, it is requested that the court hold the violation in abeyance and allow the State to dispose of the pending charge. The case is set for disposition on April 25, 2013, in New Hanover County District Court, Wilmington, NC.

To assist the releasee in making positive choices in the future, it is recommended his conditions be modified to include a special condition of Cognitive Behavioral Therapy (CBT).

The releasee signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall participate in a cognitive behavioral program as directed by the probation office.

Except as herein modified, the judgment shall remain in full force and effect.

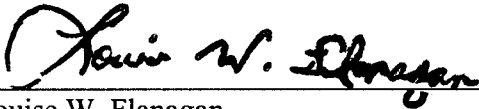
I declare under penalty of perjury that the foregoing is true and correct.

/s/ Pamela O. Thornton
Pamela O. Thornton
Senior U.S. Probation Officer
2 Princess Street, Suite 308
Wilmington, NC 28401-3958
Phone: 910-815-4857
Executed On: March 20, 2013

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ORDER OF COURT

Considered and ordered this 21st day of March, 2013, and ordered filed and made a part of the records in the above case.

A handwritten signature in black ink, appearing to read "Louise W. Flanagan", is written over a horizontal line.

Louise W. Flanagan
U.S. District Judge